

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims supersedes any previous listing. Favorable reexamination and reconsideration are respectfully requested in view of the preceding amendments and the following remarks.

The 35 U.S.C. 103(a) rejection of all pending claims as being obvious over Parish in view of Vogt is respectfully traversed.

In this rejection it is asserted that Parish discloses a bill receiver device which is adapted to separate foreign matter or liquid from the currency and can be used in any vending machine. This statement is not completely correct. Parish discloses a device which can be used with any vending machine – the reason being that is not within the machine but added onto the exterior of the device – see Fig. 1. Note that the liquid diverter is clearly shown extending out from the face of the vending machine.

This “add on to the exterior” of the device, permits the intended adaptation to any machine. Indeed, internal disposition would almost certainly defeat the chance of this arrangement being disposed with any vending machine due to the inevitable reconfiguration of the interior of the machine that would necessarily result. Viz., at the very least, the reader would have to be moved back further into the device and rearrangement of the remainder of the associated mechanism likewise would require rearrangement if not redesigned due to the new logistics.

In the Parish arrangement, the liquid or whatever is inappropriately inserted into the aperture 56, is permitted to fall out of the bottom of the arrangement. While this may not be convenient/tidy in some situations, the liquid/material which will obviously collect on the floor in front of the machine will advantageously enable anyone in the vicinity to be immediately made aware of the inappropriate action/vandalism actions and therefore assist in the apprehending of the felon(s).

In light of the external disposition which is needed to enable the disposition of the Parish arrangement on any vending machine, it is not seen that a collection arrangement such as found in Vogt would be considered by the hypothetical person of ordinary skill. Indeed, as mentioned above, the mess on the floor in front of the machine would be a dead give away to the act of vandalism and short of hanging a bucket on the projecting arrangement of Parish, it not seen that the collection arrangement of Vogt would be given any thought whatsoever. Further, the collection structures

which are used in Vogt, are within the vending machine and additionally below the validator 120. Not only that, but Vogt appears to suggest that the liquid in Vogt be actually permitted to enter the validator and then drain out. This is different from the Parish arrangement wherein the liquid or the like is intended to drain upstream of the mouth/entry of the reader/validating apparatus and be securely prevented from entering the same. A resolution of the difference in draining positions would be therefore required.

Nothing in the rejection takes these fundamental draining position differences into account nor deals with the manner/structure via which the drainage from the validator *per se* is actually facilitated. Indeed, the Vogt reference appears to be silent with respect to this issue also. This leaves the hypothetical person of ordinary skill wanting for detailed disclosure relating to this issue.

A combination of Parish and Vogt would not be made for at least the above reasons. Any attempt to adapt/transfer teachings of the Vogt arrangement to Parish, would more than likely lead to the situation wherein the intention of Parish to permit the disclosed device to be applied to any vending machine would be dashed. The simplicity of the arrangement would also be lost in addition to its utility to be used with any vending machine.

While *In re Keller* (642 F.2d 413, 208 USPQ 871 (CCPA 1981)) (which is frequently misused by the PTO), teaches that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference, in this instance, the use of the drainage arrangements of Vogt would, if the Parish structure were to be maintained, require structure to be disposed below the housing 40 of Parish (so that gravity can be made use of). This would introduce the problem the drain arrangement would interfere with the other features of the machine to which the housing 40 of Parish is connected, such as the coin slot 30, lock 32 and selection buttons 28.

While these problem would be possibly specific to the arrangement illustrated in Parish, it is without question that some form of resign of the machine to which the housing 40 of Parish was connected would be necessary in order for the drainage bits and pieces of Vogt to be added and permit gravity to carry the liquid away to a storage vessel or container. As a result any thought of using the drainage arrangement of Vogt in Parish would not occur for at least this reason. Again, it is submitted that the ease of disposition of the Parish arrangement to any vending machine would be interfered with and clearly would result in difficulties with the embodiment shown in Fig. 1 of this

reference.

If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). M.P.E.P. § 2143.01.

This also moots the design choice issue relied upon by the Examiner.

In addition, the assumption that the applicant "acquiesces in this rejection" – see page 8 lines 1-2 of this Office Action, is not well taken. The rejection of all claims was attacked and the rejection has had to be made anew.

On pages 4-5 of the Official communication, the Examiner states that the applicant has not disclosed that having a protrusion, a cylindrical protrusion, a groove and a single fixed screw provides an advantage or solves a stated problem. This position is traversed.

In connection with the subject matter set forth in claim 8, the disclosure is such as to indicate that the mounting member 52B and the bill guide plate 52A are assembled by inserting the protrusion 528A of the bill guide plate 52A into the groove 528C and tilting the bill guide plate 52A towards the mounting member 52B. The mounting member and the bill guide plate can be attached and detached readily, and can be fixed securely.

Since the bill guide plate 52A and the mounting member 52B are fixed securely, and the adequate draining ability is provided due to the structure that the mounting member 52B is located directly below the bill guide plate 52A, it is possible to wash off the tiny foreign matter such as tobacco ash on the guide plate 52A, thus the guide plate 52A can be cleaned off more readily than by wiping off. Please refer to page 10, lines 18-22 of the originally filed specification.

In addition, since the bill guide plate 52A and the mounting member 52B are attached and detached easily, it is easy to wash and exchange the mounting member and the bill guide plate. The bill guide plate 52A and the mounting member 52B contact the foreign matter, so have the potential to become dirty and malfunction, thereby requiring intermittent cleaning and/or exchange.

The bill guide plate 52A is assembled onto the mounting member 52B by inserting the protrusion 528A of the bill guide plate 52A into the groove 528C and tilting the bill guide plate 52A towards the mounting member 52B. The bill guide plate 52A can also be separated from the

mounting member 52B by movement in the opposite direction. Please refer to page 9, lines 11-21 and page 11, lines 17-20.

In connection with the subject matter of claim 9, the disclosure sets forth that the protrusion 528A and the groove 528C, the cylindrical protrusion 528C is formed on the front lower wall of the bill guide plate 52A including the internal thread, and the single fixing screw BF1 is threadedly engaged with the internal thread of the bill guide plate 52A.

By the above engagement of the single fixing screw BF1 and the internal thread of the bill guide plate 52A, the bill guide plate 52A and the mounting member 52B are even further fixed securely. In addition, the bill guide plate 52A and the mounting member 52B are easily attached and easily detached, by driving the fixing screw BF1 in and taking out the fixing screw BF1, respectively.

Conclusion

Applicants respectfully submit that the rejection fails to establish a *prima facie* case of obviousness for at least the above reasons and that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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